REMARKS

The Applicants request reconsideration of the rejection.

Claims 1-2 and 22-25 remain pending.

The Applicants thank the Examiner for withdrawing the finality of the Office Action. The independent claims have been amended to recite that the history of a processing of the program is stored to the second database as a processing history during the reorganization of the first database, after switching the program access allowance from the first database to the second database.

By this feature, a preferred embodiment of the present invention can switch database access by a program, from a first database to a second database, hold the history of updates of the second database, reflect the update history (processing history) to the first database, and switch access back to the first database after the reflection is completed. The Applicants refer the Examiner to Figs. 2 and 3.

By such switching of the access between the two databases, access to the database information is uninterrupted practically while the first database is reorganized.

Turning to the Office Action, claims 22 and 25 stand rejected under 35 USC §101 as being directed to nonstatutory "descriptive material". At the Examiner's kind suggestion, claim 22 has been amended to recite the program code so as to be functionally and structurally interrelated to a computer-readable medium, thus rendering the claimed invention (and the invention defined in its dependent claim 25) statutory.

Claims 1, 2, and 22 stand rejected under 35 USC §103(a) as being unpatentable over Maurer III, et al., US 2003/0065780 (Maurer) in view of Marshall,

et al., US 2003/0135478 (Marshall) and Yanai, et al., US 5,742,792 (Yanai). The Applicants traverse as follows.

Of particular note is the citation to Marshall for the alleged teaching of allowing input/output access to the first database in parallel with the storing of a processing of the program to the second database as a processing history, the processing history being stored during the execution of the input/output access; and of switching the program access from the second database to the first database upon completion of the updating of the first database according to the stored processing history.

Reviewing Marshall, however, shows that Marshall first unloads the existing database and directly reloads it to the shadow database (Step S2, Fig. 3). While reorganizing the existing database, updates continue to be made to the existing database, and such updates are captured and applied to the file being uploaded, to result in a reloaded database with all updates in the shadow database (Steps S6, S7). Then, the old database is taken offline (Step S8) and the shadow database is finalized with any remaining updates that may have occurred in the interim (S9). After further processing, the shadow database is made online (S12).

Thus, in Marshall (and, consequently, in the asserted combination of Maurer, Marshall, and Yanai), both of the access for the reorganization and the access by the application are directed to the old database, but in the claimed invention, the access allowance is switched from the first database to the second database (i.e., from the old database to the new database) after completion of generating the second database as a duplicate of the first database. Moreover, after switching the access allowance to the second database, the history of the processing of the program is stored to the second database as a processing history, in parallel with the

reorganization of the first database (in other words, while the access for reorganization is directed to the first database, the access by the program is efficiently directed to the second database), but the combination including Marshall continues to permit access to the old database during the reorganization of the old database.

Then, according to the claimed invention, the first database is updated based on the processing history stored to the second database during the reorganization, but the combination according to Marshall updates the shadow database according to the old database after completing the reorganization. As well, after completing the updating of the first database according to the processing history stored, the claimed invention switches the program access allowance from the second database to the first database, but the combination including Marshall takes the old database offline and puts the new database online.

In accordance with the above, the Applicants respectfully submit that any motivated combination of Maurer, Marshall, and Yanal that relies on Marshall for the reasons set forth in the Office Action, nevertheless fails to render obvious the invention as set forth in claim 1. Furthermore, because independent claims 2 and 22 contain similar limitations in other statutory invention categories, these claims should also be allowed.

Claims 23-25 stand rejected under 35 USC §103(a) as being unpatentable over Maurer in view of Marshall, Yanai, and Janssen, US 2003/0163510 (Janssen). Janssen, however, does not show the efficient switching and access noted above, and thus there is no motivated combination of Maurer, Marshall, Yanai, and Janssen that teaches the invention as claimed in the independent claims. Accordingly, claims

23-25, which respectively inherit the limitations of claims 1, 2, and 22, are also patentable.

In view of the foregoing amendments and remarks, the Applicants request reconsideration of the rejection and allowance of the claims.

To the extent necessary, Applicants petition for an extension of time under 37 CFR 1.136. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, or credit any overpayment of fees, to the deposit account of Mattingly, Stanger & Malur, P.C., Deposit Account No. 50-1417 (referencing attorney docket no. 500.43519X00).

Respectfully submitted,

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